

The Regular City Council Meeting of February 26, 2019 was called to order at 6:31 p.m.

**MAYOR**

Phillip Howard

**OTHERS**

Shannan Kinsley

Raymond Yee

Joni Baker

**COUNCILMEMBERS**

Susan Darst

Rene Rodriguez

Jennifer Nottingham

Don Reddout

Geri Poss

Gigi Duke

Lynn Tiner

Kathleen McCloskey

Kimberly Verity

Madeline McCloskey

Sean Skaggs

Mayor Howard declared a quorum with Council member Nottingham, Council member Verity, Council member Tiner, Council member Darst and Council member Poss present. The meeting was started with the Pledge of Allegiance.

**MAYOR ANNOUNCEMENT OF RETIRING INTO EXECUTIVE SESSION AS AUTHORIZED BY THE TEXAS GOVERNMENT CODE, SECTION 551.071 (CONSULTATION WITH ATTORNEY) REGARDING:**

1. **MOTION BY CITY COUNCIL TO RETIRE INTO AN EXECUTIVE SESSION AS STATED ON THE POSTED AGENDA AND DISCUSSION OF: A) LITIGATION OF EDWIN SCHARF AND IRENE SCHARF V. THE CITY OF GREY FOREST B) DISCUSS AND ACT ON AUTHORIZING THE CITY ATTORNEY AND LITIGATION COUNCIL TO FILE PLEADINGS ON THE CASE OF EDWIN SCHARF AND IRENE SCHARF V. CITY OF GREY FOREST AS NECESSARY TO ENFORCE THE ZONING ORDINANCE**

Council member Nottingham made the motion to retire into an Executive Session as stated on the posted agenda. The motion was seconded by Council member Verity and passed unanimously.

City Council retired into Executive Session at 6:34 p.m.

The Executive Session was adjourned at 7:20 p.m.

The Regular City Council Meeting was reconvened at 7:21 p.m.

**APPROVAL OF MINUTES**

Mayor Howard stated there was a question on the October 23, 2018 minutes on whether Council member Verity was present at the meeting. Council member Verity was absent at that meeting and the minutes have been amended. Council member Nottingham made the motion to accept the changes to the Amended Minutes of October 23, 2018. The motion was seconded by Council member Tiner and passed unanimously.

The minutes of the November 19, 2018 Special City Council Meeting/Grey Forest Utilities Board of Trustees Meeting were reviewed. Changes made: page 1, last paragraph, line 13 to reflect "can come to" and page 2, line 1 to reflect "and the new money activity". Council member Verity made the motion to accept the November 19, 2018 minutes as amended. The motion was seconded by Council member Poss and passed with 4 YES and 1 ABSTAINING by Council member Darst as she was absent at the meeting.

**PRESENTATIONS BY CITIZENS AND VISITORS** – None.

**MAYOR ANNOUNCEMENTS**

Small Cell Tower Update: Mayor Howard stated Council member Darst is deeply involved in drafting an ordinance for the City of Helotes which is going through their City Attorney. We will need to change the ordinance from Helotes to Grey Forest and then have our City Attorney review it for approval and adoption.

Scenic Loop Road Work: Mayor Howard stated we are planning on laying a seal coat around May-June. Selected points have been cut and will be removed by our City Public Works and replaced with new asphalt. Our bid will be added to the Helotes road bid as an addendum. The budget has allocated \$75,000 and includes striping.

Road Survey Update: Mayor Howard stated the raw data collection is complete. Based on the City Engineer and surveyor's workload, we will not have a true analysis for another 4 months or so.

Deep Spring Dam Signage: Mayor Howard stated signage has been ordered and will be installed shortly. Public Works has given Madeline McCloskey the information. The City Attorney wrote the warning sign to say, "warning not maintained for swimming, enter at your own risk, potential bacteria and contamination, ingestion of water may cause illness, slip and fall risk, potential unseen hazards under water". Council member Verity stated there was not discussion on verbiage of the signs. This verbiage creates a negative overtone in an environment that is supposed to be a wildlife preserve. Mayor Howard stated we have to specify the nature of the risk under Texas Law. The signs will only be placed at the Deep Spring Dam. Council member Poss stated the last she remembers; it was left that the City Attorney would tell us if the signage we have was adequate. Mayor Howard stated this is what the City Attorney provided. Madeline McCloskey stated this has not been discussed or approved by the Grey Forest Community Board. Council member Nottingham stated this item should be placed on the next Grey Forest Community Board Meeting Agenda.

Code of Ordinances Update: Mayor Howard stated this process began back in 2014. Mayor Reinhard and City Council reviewed the code, made changes and those changes along with any newly adopted ordinances have been submitted to be incorporated. We will need to update various ordinances as we move forward but can start the process and update those as needed. It will be on the website as well. We will bring the final proof back to Council for review once received.

### **JANUARY 2019 MONTHLY FINANCIALS**

Mayor Howard stated the transition to QuickBooks Online has proven to be a challenge. It's a totally new software and there was some data lost. Shannan Kinsley stated she has had to manually go in and set up data that didn't transfer. They had to convert 6 different versions of QuickBooks in order to get data over. We converted from 2007 to 2010, 2011, 2015, 2017 and then online. They had to save the data, download the new program, convert the information and then do the same process for each program. QuickBooks online will be beneficial going forward but it has been a difficult task. Mayor Howard stated the technology update has also experienced issues in addition to a learning curve.

### **COUNCIL/STAFF ANNOUNCEMENTS**

Welcome/Communication Initiative Update: Council member Poss stated at the last Council Meeting she mentioned the importance of welcoming our new neighbors. Having the Police assist by letting us know when new neighbors are here. She's been able to get help from Pat Howard, Bunny Bacchetta and Connie Almand. They will be meeting again this Thursday. They have 12 families to deliver baskets to. They are starting with a basic basket and will get more sophisticated/creative as time goes on. More information will come. They are looking for the community to participate in things like a Grey Forest Cookbook and inexpensive ways to improve the basket.

### **COMMITTEE ANNOUNCEMENTS/REPORTS** – None.

### **GREY FOREST COMMUNITY BOARD (GFCB) UPDATE**

Chairperson Madeline McCloskey stated they continue to work on the creeks. They will be removing a large branch that is over a home. They will start work along Scenic Loop Road in a few days. There's money in the budget from them to get some invasive trees removed. Gutters were put up on the Club House with 2 big rain barrels to water the plants. Their next project is to install the water fountain in front of the Clubhouse. They asked Public Works not to mow the fields so the wildflowers can grow. Mark Gonzales takes care of the ballfields. The Memorial Tree Program where people buy a tree in memory of someone is moving along. The trees will be planted in the fall. One of our neighbors donated Mountain Laurel seeds to plant. They are ordering grass plugs to put along the banks near the creek.

## **SENATOR FRANK L. MADLA, JR. NATURAL AREA UPDATE**

Council member Nottingham stated the upcoming fundraiser will be on March 23<sup>rd</sup> at Scenic Loop La Hacienda from 4-8 pm. Tickets are on sale online through the website. The roof on the cottage and the wellhouse is finished. They need to do some work on the entrance where it keeps washing out.

## **BOARD OF ADJUSTMENT UPDATE** – None.

## **POLICE DEPARTMENT ACTIVITY REPORT**

Chief Rene Rodriguez reviewed the January 2019 Monthly Activity Report. There were 94 calls for service, 1133 hours worked, 4845 total miles driven, 57 traffic summons issued with 5 being no through trucks, 12 warnings issued and 3 onsite felony theft arrests that Sgt. Elliot Rodriguez made. Sgt. Elliot Rodriguez was issued a Notice of Merit for the apprehensions. They had an audit recently from TCOLE of new employee files along with firearms proficiency records that was very successful due to Lt. Frank Francis' diligent efforts. They are in the process of revamping the SOP's.

## **PUBLIC WORKS ANNOUNCEMENTS**

Mayor Howard stated they continue to work on getting power into the Public Works building. Public Works has been chipping at the creek which is going to take some time to finish.

## **GFU UTILITY ANNOUNCEMENTS** – None.

## **FIRE DEPARTMENT REPORT**

Don Reddout stated there were 6 calls for service in the City for the month of January 2019; 2 medical calls and the others were assisting the public. The Average Response Time was 1.83 minutes. Average Personnel 3.33.

## **UNFINISHED BUSINESS:**

### **2. DISCUSS AND ACT ON LITIGATION OF EDWIN SCHARF AND IRENE SCHARF V. THE CITY OF GREY FOREST**

Council member Darst made the motion to direct the City Attorney and Litigation Council to arrange mediation of the case and appoint Mayor Howard to represent the City in the mediation. The motion was seconded by Council member Verity and passed unanimously.

### **3. DISCUSS AND ACT ON AUTHORIZING THE CITY ATTORNEY AND LITIGATION COUNCIL TO FILE PLEADINGS ON THE CASE OF EDWIN SCHARF AND IRENE SCHARF V. CITY OF GREY FOREST AS NECESSARY TO ENFORCE THE ZONING ORDINANCE**

Council member Verity made the motion to authorize the City Attorney and Litigation Council to file pleadings on the case of Edwin Scharf and Irene Scharf v. City of Grey Forest as necessary to enforce the Zoning Ordinance. The motion was seconded by Council member Darst and passed unanimously.

## **NEW BUSINESS:**

### **4. PRESENT CERTIFICATION OF UNOPPOSED CANDIDATES**

Mayor Howard presented the Certification of Unopposed Candidates signed by Shannan Kinsley, the authority responsible for having the official ballot prepared for the City of Grey Forest, May 4, 2019 General Election declaring and certifying that only one candidate for each office open for election met the deadline of declaring themselves a candidate for a place on the ballot for the following positions:

Councilmember Place No. 1 – Kimberly A. Verity

Councilmember Place No. 3 – Geri Eileen Poss

Councilmember Place No. 5 – Sean Paul Skaggs

5. **DISCUSS AND ACT ON ORDINANCE NO. 227 CANCELLING THE MAY 4, 2019 MUNICIPAL ELECTION**

Council member Nottingham made the motion to act on Ordinance No. 227 Cancelling the May 4, 2019 Municipal Election. The motion was seconded by Council member Tiner and passed unanimously.

6. **DISCUSS AND ACT ON APPOINTMENT OF BOARD MEMBER TO THE SENATOR FRANK L. MADLA, JR. NATURAL AREA BOARD OF DIRECTORS PURSUANT TO AMENDMENT TO ORDINANCE NO. 180**

Council member Nottingham presented the resume of Kate Hall Feist. She stated the Board highly recommends Kate to fill the position on the Madla Park Board. Kate is helping coordinate the upcoming fundraiser and has shown that she has the heart for the position. Council member Tiner made the motion to appoint Kate Hall Feist to the Senator Frank L. Madla Jr. Natural Area Board of Directors pursuant to Ordinance No. 180. The motion was seconded by Council member Verity and passed unanimously.

7. **DISCUSS AND ACT ON RESOLUTION APPROVING SUBMISSION OF A GRANT APPLICATION FOR THE CRIMINAL JUSTICE MODERNIZATION INITIATIVE TO THE OFFICE OF THE GOVERNOR**

Mayor Howard introduced Reserve Officer, Raymond Yee. Raymond Yee stated he is taking on the responsibility of grant writing for the department. The basis of the grant is to update equipment. The grant application is for \$84,194.32 for the 2020 year with no matching obligation. The grant will improve efficiency within the police operations. Raymond Yee reviewed the Budget Details. Mayor Howard stated the grant application needs to be submitted by tomorrow. The resolution before Council approves submission of the grant application and states in the event of loss or misuse of the funds, they can re-coop the funds. Council member Nottingham made a motion to pass Resolution No. 002-19 of the City of Grey Forest, Texas approving submission of a Grant Application for the Criminal Justice Modernization Initiative to the Office of the Governor. The motion was seconded by Council member Tiner and passed unanimously.

There was no further business. Mayor Howard adjourned the Regular City Council Meeting at 8:39 p.m.

These minutes were written/recorded by Shawwan Kinsley.

These minutes were approved as ~~written~~ amended on the 28th day of May, 2019.

Signed: Phillip A. Howard

Phillip A. Howard, Mayor